

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Richmond Division

UNITED STATES OF AMERICA	)	Criminal No. 3:12cr <u>082</u>
)	
v.	)	18 U.S.C. § 1344
	)	Bank Fraud
LENORA BANKS-DAVIS,	)	(Count 1)
a/k/a "Jacqui Banks-Davis,")	
	)	18 U.S.C. §§ 1029(a)(5) and (c)(1)(A)(ii)
	)	Unauthorized Use of an Access Device
Defendant.	)	(Count 2)
)	
	)	18 U.S.C. § 1028A
	)	Aggravated Identity Theft
	)	(Count 3)
)	
	)	Forfeiture Allegation

INDICTMENT

MAY 2012 TERM - at Richmond, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE
(Bank Fraud)

1. From in or about May 2009 through on or about November 3, 2009, in the Eastern District of Virginia and elsewhere, and within the jurisdiction of this court, defendant LENORA BANKS-DAVIS, a/k/a "Jacqui Banks-Davis," did knowingly and unlawfully execute and attempt to execute a scheme and artifice to defraud and obtain moneys, funds and property owned by and under the custody and control of BB&T Bank, a financial institution the deposits

of which were insured by the Federal Deposit Insurance Corporation, by means of materially false and fraudulent pretenses, representations and promises, to wit, the defendant:

a. obtained victim P.T.'s BB&T Visa Platinum Credit Card, Account Number **** * 1668, by making false representations and promises that she would solely use the credit card to help consolidate and pay off P.T.'s personal bills for specified companies and entities;

b. without authorization, used victim P.T.'s BB&T Visa Platinum Credit Card, Account Number **** * 1668, to pay BANKS-DAVIS'S own personal expenses and obligations, leaving P.T.'s BB&T credit card account approximately \$10,000 in arrears. The unauthorized transactions included, but are not limited to, the following:

Transaction Date (on or about)	Merchant	Approximate Amount
June 1, 2009	Mona Vie	\$768.38
June 3, 2009	L' Occitane, Store No. 93	\$53.55
June 6, 2009	Commonwealth Cleaners	\$144.45
June 19, 2009	Allied Animal Hospital	\$220.55
June 25, 2009	Demnti Studio	\$89.25
June 26, 2009	The Privet Session	\$35.00
July 18, 2009	The Privet Session	\$35.00
July 19, 2009	L' Occitane, Store No. 93	\$101.85
July 27, 2009	Extra Space Storage	\$424.00
July 31, 2009	FedEx Kinkos, Store No. 1142	\$306.72
July 31, 2009	FedEx Kinkos, Store No. 1142	\$15.83
August 1, 2009	Allied Animal Hospital	\$127.50
August 4, 2009	Verizon Wireless	\$155.41
August 4, 2009	Dominion Power	\$178.95
August 7, 2009	FedEx Kinkos, Store No. 1142	\$26.50
August 8, 2009	FedEx Kinkos, Store No. 1142	\$34.47
August 8, 2009	Extra Space Storage	\$167.00
October 1, 2009	L' Occitane, Store No. 93	\$99.75

(In violation of Title 18, United States Code, Sections 1344(1) and (2)).

COUNT TWO

(Unauthorized Use of an Access Device)

1. The Grand Jury adopts, re-alleges, and incorporates by reference herein the allegations set forth at paragraph 1(b) in Count One of this indictment.

2. From in or about May 2009 through on or about November 3, 2009, in the Eastern District of Virginia and elsewhere, and within the jurisdiction of this court, defendant LENORA BANKS-DAVIS, a/k/a "Jacqui Banks-Davis," knowingly and with intent to defraud, effected transactions with an access device, as defined in Title 18, United States Code, Section 1029(e)(1), that is, a BB&T Visa Platinum Credit Card, Account Number **** * 1668, issued to another person (P.T.), to receive payments and anything of value, during a one-year period, the aggregate value of which is greater than \$1,000, said conduct affecting interstate commerce.

(In violation of Title 18, United States Code, Sections 1029(a)(5) and (c)(1)(A)(ii)).

COUNT THREE
(Aggravated Identity Theft)

On or about June 26, 2009, in the Eastern District of Virginia and within the jurisdiction of this court, defendant LENORA BANKS-DAVIS, a/k/a “Jacqui Banks-Davis,” did knowingly transfer, possess, or use, without lawful authority, a means of identification of another person, to wit: the name of P.T. in connection with executing an unauthorized transaction with P.T.’s BB&T Visa Platinum Credit Card, Account Number **** * 1668, specifically the payment of \$89.25 to Dementi Studio, during and in relation to violations of Title 18 United States Code, Section 1344 (Bank Fraud) and Title 18, United States Code, Sections 1029(a)(5) and (c)(1)(A)(ii) (Unauthorized Use of an Access Device).
(In violation of Title 18, United States Code, Sections 1028A(a)(1)).

FORFEITURE ALLEGATION

Pursuant to Rule 32.2(a), Fed. R. Crim. P., the defendant is hereby notified that upon conviction of the offenses listed in this Indictment, she shall forfeit any (1) property constituting, or derived from, proceeds obtained directly or indirectly, as the result of such violations, and (2) personal property used or intended to be used to commit the offense. Property subject to forfeiture includes, but is not limited to, the following:

The sum of at least \$10,783.86 representing the proceeds of the offenses charged, to be offset by the forfeiture of any specific property, constituting substitute assets for proceeds.

(In accordance with Title 18, United States Code, Sections 982(a)(2) and 1029(c)(1)(C).)

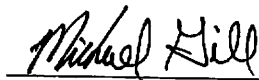
A TRUE BILL

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office

FOREPERSON _____

NEIL H. MACBRIDE
UNITED STATES ATTORNEY

By:



Michael R. Gill
Assistant United States Attorney

No. _____

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF VIRGINIA

RICHMOND DIVISION

THE UNITED STATES OF AMERICA

vs.

LENORA BANKS-DAVIS

a.k.a.

“JACQUI BANKS-DAVIS”

INDICTMENT

In violation of 18 U.S.C. § 1344

In violation of 18 U.S.C. §§ 1029(a)(5)

In violation of 18 U.S.C. § 1028A

Bank Fraud

Unauthorized Use of an Access Device

Aggravated Identity Theft

A true bill.

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office

Foreman

Filed in open court this _____ day, of May A. D. 2012

Clerk

Bail, \$ _____